

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7414

BILL NUMBER: HB 1320

NOTE PREPARED: Feb 11, 2011

BILL AMENDED: Feb 10, 2011

SUBJECT: Retailer Permittee Employee Serving to Minor.

FIRST AUTHOR: Rep. Yarde

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill provides that if the Alcohol and Tobacco Commission (ATC) initiates a permit violation proceeding against a holder of a retailer permit or a dealer permit for a package liquor store for furnishing an alcoholic beverage to a minor, the Commission must also initiate a permit violation proceeding against the employee of the dealer or retailer who served the minor. It provides that any employee permit violation for serving alcohol to a minor becomes inactive two years after the date of the violation and may not be counted in assessing any future violations, suspensions, or civil penalties.

Effective Date: July 1, 2011.

Explanation of State Expenditures: (Revised) *ATC:* This bill could increase administrative expenditures for the ATC. The bill provides that if the ATC initiates a permit violation proceeding against a retailer or liquor dealer permittee for furnishing an alcoholic beverage to a minor, the Commission must also initiate a permit violation proceeding against the employee of the retailer or dealer who served the minor. The ATC's current level of resources is sufficient to meet this requirement.

Explanation of State Revenues: *Fines:* This bill could increase revenue to the Enforcement and Administrative Fund. The bill provides that if an employee is convicted of a criminal violation for furnishing an alcoholic beverage to a minor, in addition to any other penalty, a civil judgment of \$100 may be imposed against the employee for the employee's first violation; or \$200 for the employee's subsequent violation.

The ATC reports that a person who furnishes alcoholic beverage to a minor is fined under IC 7.1-5-7-8 an average fee of \$50 for a first offense. The ATC reports that approximately 455 fines were issued in CY 2010.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: ATC.

Local Agencies Affected:

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